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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

J & J SPORTS PRODUCTIONS, INC.)	Case No.: 2:17-cv-02353-MMD-BNW
)	
Plaintiff,)	
)	
vs.)	
)	
HECTOR MONTENEGRO individually and))	PROPOSED DEFAULT JUDGMENT
dba EL TRANCAZO NIGHT CLUB, LLC aka))	
EL TRANCAZO NIGHT CLUB,)	
)	
Defendant.)	
)	

Plaintiff, J & J Sports Productions, Inc. (hereinafter Plaintiff), by and through its attorneys of record, Peter Dubowsky, Esq. of the Dubowsky Law Office, Chtd., having filed a Complaint against Defendants HECTOR MONTENEGRO individually and dba EL TRANCAZO NIGHT CLUB, LLC aka EL TRANCAZO NIGHT CLUB (ECF 1) and alleging broadcast piracy under the of 1934, as amended, Title 47 U.S.C. 605 et seq., and The Cable & Television Consumer Protection and Competition Act of 1992, as amended, Title 47 U.S. Section 553, et seq. for pirating the "Floyd Mayweather Jr. vs. Marcos Maidana II" WBC World Lightweight Championship Fight Program, telecast nationwide on September 13, 2014; and

1 Plaintiff having submitted their Motion for Default Judgment (“Motion”) (ECF 15)
2 with supporting Legal Memorandum to the Motion (ECF 16), and the Plaintiff’s Affidavit
3 of Joseph M. Gagliardi (plus the Attachments: # 1 Exhibit License Agreement, # 2 Exhibit
4 Rate Card) (ECF 17) and Affidavit of witness Lawrence E. Sanchez (ECF 18); and

5 The Court finds that Plaintiff has met the seven factors outlined by the Ninth Circuit
6 in Eitel v. McCool, 782 F.2d 1470, 1471 (9th Cir. 1986) for granting default judgment; and
7 accordingly, the amounts requested by Plaintiff for its federal claim, \$10,000 in statutory
8 damages and \$30,000 in “enhanced” statutory damages (47 U.S.C. §§ 605(e)(C)(3)(i)(II)
9 and (e)(3)(ii) and Kingvision Pay-Per-View, Ltd. v. Backman, 102 F.Supp.2d 1196 (N.D.
10 Cal. 2000)) based on this willful violation, including but not limited to such factors as the
11 Defendants \$20.00 cover charge, and multiple screens (ECF 18), for a total award of
12 \$40,000 against Defendant HECTOR MONTENEGRO individually and dba EL
13 TRANCAZO NIGHT CLUB, LLC aka EL TRANCAZO NIGHT CLUB.
14

15 Dated: October 5, 2020



U.S. DISTRICT COURT JUDGE